



Stewarts Law US LLP
1201 North Orange Street, Wilmington, DE 19801
Telephone +1 (302) 298 1200 Fax +1 (302) 298 1222
www.stewartslaw.com

David A. Straite
Direct: +1 (302) 298-1212
dstraite@stewartslaw.com

Date: August 10, 2012

VIA HAND DELIVERY

Honorable Sue L. Robinson
United States District Judge
J. Caleb Boggs Federal Building
844 N. King Street
Room 4124, Unit 31
Wilmington, DE 19801-3568

Re: *In re: Google Inc. Cookie Placement Consumer Privacy Litig., C.A. No. 1:12-MD-2358 (SLR); Soble v. Google Inc., C.A. No. 1:12-CV-0200 (SLR)*
NOTICE OF RELATED ACTION

Dear Judge Robinson,

I am counsel for Plaintiff Matthew Soble in the above-captioned cases, and write to provide a courtesy Notice of Related Civil Action. This new action was filed by the Federal Trade Commission ("FTC") against Google Inc. ("Google") on August 8, 2012, and announced yesterday, August 9, 2012. See *United States v. Google Inc.*, 5:12-cv-04177 (HRL) (N.D. Cal.), complaint attached to this letter as **Exhibit A**.

In the complaint, the FTC charges that Google misrepresented to users of Apple Inc.'s Safari internet browser that it would not place tracking cookies or serve targeted ads to those users, violating an earlier privacy settlement between Google and the FTC. These charges form the basis of the claims in *Soble v. Google Inc.* and the other cases consolidated in the above-captioned MDL pending before Your Honor, and Google is a defendant in all actions.

Current with the filing of the FTC's complaint, the Commission and Google submitted a stipulated proposed order for permanent injunction and civil penalty judgment. See **Exhibit B**. The proposed settlement requires Google, until February 15, 2014, to maintain systems configured to instruct Safari-brand web browsers to expire any DoubleClick.net cookie place by Google prior to February 12, 2012. Google must also file a report, under penalty of perjury, setting forth how it has complied with this remediation requirement. Finally, Google must pay a civil penalty in the amount of \$22,500,000 pursuant to Section 5(l) of the FTC Act, 15 USC § 45(l).

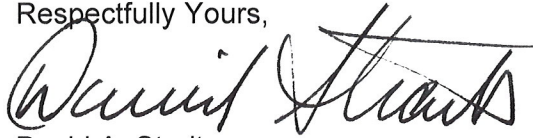
Following the filing of the complaint and proposed order, the FTC issued a News Release announcing that the civil penalty portion of the settlement is the is the largest FTC penalty ever imposed for a violation of an FTC order. See **Exhibit C**.

August 10, 2012

Page 2

Counsel for plaintiffs in the MDL anticipate proposing leadership next week. Until then, please do not hesitate to contact me with any questions.

Respectfully Yours,

A handwritten signature in black ink, appearing to read "David Straite", with a stylized flourish at the end.

David A. Straite
Counsel for Plaintiff Matthew Soble

Enclosures

cc: All Counsel of Record in the MDL (via email)